

Message Text

UNCLASSIFIED

PAGE 01 USUN N 03217 131835Z

65

ACTION DLOS-06

INFO OCT-01 IO-13 ISO-00 ACDA-10 AGR-10 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-02 COME-00 DODE-00 DOTE-00

EB-07 EPA-04 ERDA-07 FEAЕ-00 FMC-02 TRSE-00 H-02

INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-02

OES-06 OMB-01 PA-02 PM-04 PRS-01 SP-02 SS-15 USIA-15

SAL-01 AF-08 ARA-10 EA-09 EUR-12 NEA-10 /189 W

----- 118816

P 131746Z AUG 76

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC PRIORITY 8642

UNCLAS USUN 3217

FROM LOS DEL

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: INFORMAL MEETING OF NEGOTIATING GROUP I (ECONOMIC ZONE)
OF COMMITTEE II, P.M., 12 AUGUST

1. GENERAL DEBATE ON LEGAL STATUS OF ECONOMIC ZONE
CONTINUED, WITH COASTAL STATE GROUP TAKING THE OFFENSIVE.
STATEMENTS BY SAUDI ARABIA, CHILE, BRAZIL, COLUMBIA,
NIGERIA, URUGUAY, IRAN, ARGENTINA, AND YEMEN ON THE ONE
SIDE, WITH UK, JAPAN, FRG AND POLAND ON THE OTHER. JAMAICA AND
SPAIN FELL IN SOMEWHERE IN THE MIDDLE, SUGGESTING THAT
LEGAL STATUS OF ZONE NOT BE DEFINED, REPLYING INSTEAD ON
EXHAUSTIVE ATTRIBUTION OF COMPETENCE IN THE ZONE BETWEEN
COASTAL AND OTHER STATES.

2. URUGUAY TABLED REVISED ARTICLES 44 AND 47:

ARTICLE 44:

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 USUN N 03217 131835Z

QUOTE 1. THE COASTAL STATE HAS THE RIGHT TO ESTABLISH BEYOND AND ADJACENT TO ITS TERRITORIAL SEA, A ZONE OF NATIONAL JURISDICTION CALLED THE EXCLUSIVE ECONOMIC ZONE.

2. THE COASTAL STATE EXERCISES IN THE EXCLUSIVE ECONOMIC ZONE:

A. SOVEREIGN RIGHTS FOR THE PURPOSE OF EXPLORING AND EXPLOITING, CONSERVING AND MANAGING THE NATURAL RESOURCES, WHETHER LIVING OR NON-LIVING OF THE BED AND SUBSOIL AND THE SUPERJACENT WATER, INCLUDING THE PRODUCTION OF ENERGY FROM THE WATER, CURRENTS AND WINDS AND ANY OTHER ACTIVITIES FOR THE ECONOMIC EXPLORATION AND EXPLOITATION OF THE ZONE.

B. EXCLUSIVE JURISDICTION WITH REGARD TO:

I. THE ESTABLISHMENT AND USE OF ARTIFICIAL ISLANDS, INSTALLATIONS, STRUCTURES AND DEVICES.

II. REGULATION, AUTHORIZATION AND CONTROL OF SCIENTIFIC RESEARCH.

III. PRESERVATION AND PROTECTION OF THE MARINE ENVIRONMENT, INCLUDING POLLUTION CONTROL AND ABATEMENT, IN ACCORDANCE WITH THE RELEVANT PROVISIONS OF THE PRESENT CONVENTION.

C. ALL OTHER RIGHTS COMPATIBLE WITH THE PRESENT CONVENTION, TO THE EXTENT THAT THE FREEDOMS OF NAVIGATION AND OVERFLIGHT, AND OF THE LAYING OF SUBMARINE CABLES AND PIPELINES AND OTHER INTERNATIONALLY LAWFUL USES OF THE SEA DIRECTLY RELATED TO NAVIGATION AND COMMUNICATION, ARE NOT UNDULY AFFECTED.

3. IN EXERCISING ITS RIGHTS AND PERFORMING ITS DUTIES IN THE EXCLUSIVE ECONOMIC ZONE, THE COASTAL STATE SHALL HAVE DUE REGARD TO THE RIGHTS AND DUTIES OF OTHER STATES PROVIDED FOR THE PRESENT UNCLASSIFIED

UNCLASSIFIED

PAGE 03 USUN N 03217 131835Z

CONVENTION.

4. THE RIGHTS SET OUT IN THIS ARTICLE WITH RESPECT TO THE BED AND SUBSOIL SHALL BE EXERCISED IN ACCORDANCE WITH CHAPTER IV. UNQUOTE

ARTICLE 47:

QUOTE IN CASES WHERE A CONFLICT ARISES BETWEEN THE INTERESTS OF THE COASTAL STATE AND ANY OTHER STATE OR STATES REGARDING A QUESTION RELATED TO THE EXCLUSIVE ECONOMIC ZONE, THAT IS NOT ADEQUATELY FORESEEN IN THIS CONVENTION, SAID CONFLICT SHOULD BE RESOLVED TAKING EQUITY INTO ACCOUNT AND IN THE LIGHT OF ALL THE RELEVANT CIRCUMSTANCES, HAVING DUE REGARD TO THE RESPECTIVE IMPORTANCE OF THE INTERESTS INVOLVED TO THE PARTIES AS WELL AS TO THE INTERNATIONAL COMMUNITY AS A WHOLE. UNQUOTE.

URUGUAY ALSO PROPOSED THE DELETION OF ARTICLE 46-2, RSNT.

3. POLAND COUNTERED TO PROPOSE AMENDING ARTICLE 44 SO THAT IT WOULD BEGIN QUOTE THE ECONOMIC ZONE IS THAT PORTION OF THE HIGH SEAS IN WHICH THE COASTAL STATE HAS SOVEREIGN RIGHTS IN RESPECT OF RESOURCES UNQUOTE.

4. CHILE COUNTERED A STANDARD MARITIME AND LL/GDS ARGUMENT THAT STARTING POINT IN PRESENT NEGOTIATION IS THAT AREA WHICH WOULD COMPRIZE ECONOMIC ZONE IS PRESENTLY HIGH SEAS, BY ARGUING THAT THIS ASSUMPTION AS TO STATUS QUO IS INCORRECT, CITING UNILATERAL ACTIONS OF US, CANADA, MEXICO, SEVERAL LATINS, ICELAND, NORWAY, ECONOMIC COMMUNITY, INDIA, SENEGAL, SOMALIA AND OTHER AFRICAN STATES AS STANDING FOR PROPOSITION THAT 200 MILE ZONES OF NATIONAL JURISDICTION HAVE BEEN ACCEPTED BY THE INTERNATIONAL COMMUNITY BY WAY OF THE CUSTOMARY GROWTH OF INTERNATIONAL LAW.

BENNETT

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, COMMITTEE MEETINGS, NEGOTIATIONS, TWO HUNDRED MILE LIMIT, ADJACENT SEAS
Control Number: n/a
Copy: SINGLE
Draft Date: 13 AUG 1976
Decapton Date: 01 JAN 1960
Decapton Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976USUNN03217
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760312-0356
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760854/aaaabujp.tel
Line Count: 146
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DLOS
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
Review Date: 16 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16 APR 2004 by ReddocGW>; APPROVED <10 DEC 2004 by CunninFX>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: INFORMAL MEETING OF NEGOTIATING GROUP I (ECONOMIC ZONE) OF COMMITTEE II, P.M., 12 AUGUST
TAGS: PLOS, LOS
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006